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10 UNITED STATES DISTRICT COURT

11 DISTRICT OF NEVADA

12 GLORIA FLANAGAN, individually,
13 Plaintiff,

14 vs.

15 WALMART INC.;
16 DOES I-V; and ROE CORPORATIONS I-V,
17 inclusive,

18 Defendants.

19 CASE NO. 2:19-cv-01279-RFB-NJK

20 **STIPULATION AND [PROPOSED]**
ORDER TO EXTEND DISCOVERY
DEADLINES

21 **[FIRST REQUEST]**

22 Pursuant to LR 6-1 and LR 26-4, the parties, by and through their respective counsel of
23 record, hereby stipulate and request that this Court extend discovery in the above-captioned case
24 ninety (90) days for the reasons explained herein.

25 Pursuant to Local Rule 6-1(b), the parties hereby aver that this is the first such discovery
26 extension requested in this matter.

27 1. On July 1, 2019, this action was commenced by filing of a Complaint in Clark County
28 District Court.

29 2. On July 22, 2019, Defendant answered the Complaint

30 3. On July 24, 2019, Counsel for Defendant removed the case from State Court to
31 Federal Court.

32 **DISCOVERY COMPLETED:**

33 1. The parties have conducted an FRCP 26(f) conference and have served their respective
34 FRCP 26(a) disclosures.

35 2. Defendant has served upon Plaintiff one set of Requests to Produce, one set of
36 Interrogatories and one set of Requests for Admissions. Plaintiff has responded to each.;

1 3. Plaintiff has served upon Defendant one set of Requests for Production, one set of
2 Interrogatories, and one set of Request for Admissions. Defendant has responded to each.

3 4. Defendant has taken the deposition of Plaintiff.

4 **DISCOVERY THAT REMAINS TO BE COMPLETED:**

5 1. Deposition of Rule 30(b)(6) witness of Defendant. Plaintiff is in the process of
6 presenting categories of examination with respect to same so that Defendant has ample time to identify a
7 proper deponent and determine if any objections need to be presented.

8 2. Depositions of Plaintiff's treating physicians (if necessary);

9 3. Disclosure of experts;

10 4. Depositions of expert witnesses and rebuttal witnesses;

11 Plaintiff has agreed to forego all future medical damages claims in lieu of Defendant foregoing
12 any request for a Rule 35 examination. The parties are in the process of preparing a separate Consent
13 Order memorializing the same.

14 The parties submit, pursuant to Local Rule 6-1, that good cause exists for the requested
15 extension. The parties agree, that pending this Court's approval, extension of remaining discovery
16 deadlines is appropriate, as Plaintiff recently relocated out of the jurisdiction, and the parties have
17 been unable to mutually schedule the IME (based on both Plaintiff's and the defense expert's
18 availability) until January of 2020. Defendant is in the process of obtaining the remainder of
19 Plaintiff's medical records and the parties wish to further investigate the case and potentially reach a
20 resolution prior to incurring fees and costs for extensive discovery and experts. Further, said
21 extension is needed in order for Plaintiff to depose Defendant's 30(b)(6) witness; and for the
22 depositions of expert witnesses.

23 Accordingly, the parties request an additional ninety (90) day extension to allow the parties to
24 complete this remaining discovery.

25 **PROPOSED SCHEDULE FOR COMPLETING DISCOVERY:**

26 Accordingly, the parties request the discovery deadlines be extended to allow ample time for
27 the additional fact witness and 30(b)(6) depositions, disclosure of experts, expert witness depositions,
28 and completion of remaining discovery.

1 The following is a list of discovery deadlines and the parties' proposed extended deadlines

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-Off	January 7, 2020	March 6, 2020
Disclosure of Experts	November 18, 2019	January 17, 2020
Disclosure of Rebuttal Experts	December 18, 2019	February 17, 2020
Dispositive Motions	February 14, 2020	April 15, 2020
Pre-Trial Order	March 13, 2020	May 12, 2020

7 If this extension is granted, all anticipated discovery should be concluded within the
8 stipulated extended deadline. The parties aver that this request for extension of discovery deadlines
9 is made by the parties in good faith and not for the purpose of delay.

10 DATED THIS 18th day of November, 2019.

11 GLEN LERNER INJURY ATTORNEYS

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17 **ORDER**

18 IT IS SO ORDERED:

19 Dated: November 19, 2019

20 
UNITED STATES MAGISTRATE JUDGE